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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,981	12/24/2001	Isaac Levanon	FLVT3000	3619
24101	7590	09/21/2005	EXAMINER	
BRUCE E. LILLING LILLING & LILLING P.C. P.O. BOX 560 GOLDEN BRIDGE, NY 10526			TRAN, PHILIP B	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/035,981

Applicant(s)

LEVANON ET AL.

Examiner

Philip B. Tran

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 U.S.C. § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Skoll et al (Hereafter, Skoll), U.S. Pat. No. 6,671,424.

Regarding claim 1, Skoll teaches a client system for dynamic visualization of image data provided through a network communications channel, said client system comprising: a) a parcel request subsystem, including a parcel request queue, operative to request discrete image data parcels in a priority order and to store received image data parcels in a parcel data store, said parcel request subsystem being responsive to an image parcel request of assigned priority to place said image parcel request in said parcel request queue ordered in correspondence with said assigned priority; and b) an parcel rendering subsystem coupled to said parcel data store to selectively retrieve and

render received image data parcels to a display memory, said parcel rendering system providing said parcel request subsystem with said image parcel request of said assigned priority (= system of sequencing requests for retrieval of images from the remote store and images to be displayed are cached in accordance with a priority to facilitate image display) [see Abstract and Figs. 2-9 and Col. 3, Lines 16-63].

Regarding claims 2-6, Skoll further teaches the client system of claim 1 wherein said parcel rendering subsystem determines said assigned priority based on a determined optimal image resolution level and wherein said display memory is coupled to an image display of predetermined resolution and wherein said determined optimal image resolution level is based on said predetermined resolution and wherein said assigned priority further reflects the proximity of the image parcel referenced by said image parcel request to a predetermined focal point and wherein said discrete image data parcels are of a first fixed size as received by said parcel request subsystem and of a second fixed size as rendered by said parcel rendering subsystem and wherein said discrete image data parcels each include a fixed-size array of pixel data [see Col. 6, Line 24 to Col. 7, Line 33].

Regarding claim 7, Skoll teaches a portable display client system supporting dynamic visualization of image data provided through a wireless network communications channel, said client system comprising: a) a display of defined resolution suitable for visual presentation of a graphical image, said display including

video memory for storing image data representative of said graphical image; b) a network interface coupleable to a wireless network through which to request and receive image data parcels; c) an image parcel data store providing for the storage of image data parcels; d) navigation controls providing input information defining a point of view location relative to said graphical image; and e) a processor coupled to said video memory, network interface, image parcel data store, and navigational controls, said processor operative to selectively request image data parcels of determined resolution through said network interface in a priority order computed relative to the defined resolution of said display [see Abstract and Figs. 2-9 and Col. 3, Lines 16-63].

Regarding claims 8-11, Skoll further teaches the portable display client system of claim 7 wherein said processor includes a priority queue of waiting requests for image data parcels and wherein said processor adds requests for image data parcels to said priority queue reflective of the computed priority of each of said waiting requests and wherein said processor is operative to render said image data parcels from said image parcel data store to said video memory and wherein said image data parcels are received as compressed data blocks within respective network data packets and wherein said respective network data packets each include a fixed block size compressed image data parcel corresponding to a minimum 16 by 16 array of pixel image data parcel [see Col. 6, Line 24 to Col. 7, Line 33 and Col. 10, Line 31 to Col. 11, Line 18].

Claim 12 is rejected under the same rationale set forth above to claim 7.

Regarding claim 13-15, Skoll further teaches the client system of claim 12 wherein said processor is operative to limit the progressive request of image data parcels to a resolution corresponding to said defined resolution and wherein the priority of a predetermined image parcel within said priority order is determined based on the three-dimensional projection area within said two-dimensional display relative to said image viewpoint of said predetermined image parcel and wherein the priority of said predetermined image parcel is further determined based on the location of said image parcel within said two-dimensional display relative to said image viewpoint [see Col. 6, Line 24 to Col. 7, Line 33].

Claim 16 is rejected under the same rationale set forth above to claim 7.

Regarding claims 17-20, Skoll further teaches the method of claim 16 wherein said step of receiving includes the step of storing said plurality of image parcels in an image store and wherein said step of rendering provides for the selective rendering of said plurality of image parcels having the highest associated resolutions to the corresponding regions of said image and wherein said step of rendering limits the selective rendering of said image parcels to image parcels having associated resolutions less than a predetermined level and wherein said step of rendering selectively renders said plurality of image parcels as the unique textures for the

corresponding regions of said image and wherein said priority order is re-evaluated in response to a change in said viewpoint orientation [see Abstract and Figs. 2-9 and Col. 6, Line 24 to Col. 7, Line 33 and Col. 10, Line 31 to Col. 11, Line 18].

***Other References Cited***

3. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

A) Robotham et al, U.S. Pat. No. 6,704,024.

B) Lincke et al, U.S. Pat. No. 6,397,259.

C) Yap et al, U.S. Pat. 6,182,114.

D) Tzou, U.S. Pat. No. 4,698,689.

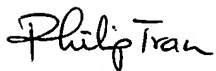
E) Knupp, U.S. Pat. No. 5,966,672.

F) St. Pierre, U.S. Pat. No. 6,874,012.

4. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (703) 872-9306. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Philip B. Tran  
Art Unit 2155  
September 16, 2005